

SECTION 2. This constitutional amendment shall be submitted to the voters at an election to be held November 3, 1987. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment permitting the legislature to include the speaker of the house of representatives or the speaker's appointee in the membership of an executive agency or committee."

Adopted by the Senate on April 1, 1987, by the following vote: Yeas 29, Nays 2; May 15, 1987, Senate refused to concur in House amendment and requested appointment of Conference Committee; May 21, 1987, House granted request of the Senate; May 31, 1987, Senate adopted Conference Committee Report by the following vote: Yeas 29, Nays 0. Adopted by the House, with amendment, on May 14, 1987, by the following vote: Yeas 140, Nays 1, one present not voting; May 21, 1987, House granted request of the Senate for appointment of Conference Committee; June 1, 1987, House adopted Conference Committee Report by the following vote: Yeas 144, Nays 0, one present not voting.

Filed with the Secretary of State, June 2, 1987.

S.J.R. No. 26

SENATE JOINT RESOLUTION

proposing a constitutional amendment relating to the immunity of a city or town from liability for damages arising from its proprietary functions.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. Article XI of the Texas Constitution is amended by adding Section 13 to read as follows:

Sec. 13. (a) Notwithstanding any other provision of this constitution, the legislature may by law define for all purposes those functions of a municipality that are to be considered governmental and those that are proprietary, including reclassifying a function's classification assigned under prior statute or common law.

(b) This section applies to laws enacted by the 70th Legislature, Regular Session, 1987, and to all subsequent regular or special sessions of the legislature.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 3, 1987. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment authorizing the legislature to define for all purposes the governmental and proprietary functions of a municipality."

Adopted by the Senate on May 6, 1987, by the following vote: Yeas 30, Nays 1.

Adopted by the House on May 21, 1987, by the following vote: Yeas 134, Nays 14, one present not voting.

Filed with the Secretary of State, May 25, 1987.

S.J.R. No. 27

SENATE JOINT RESOLUTION

proposing a constitutional amendment authorizing the creation of emergency medical services districts and authorizing those districts to levy an ad valorem tax on property located in the district.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. Article III of the Texas Constitution is amended by adding Section 48-e to read as follows:

Sec. 48-e. Laws may be enacted to provide for the establishment and creation of special districts to provide emergency services and to authorize the commissioners courts of participating counties to levy a tax on the ad valorem property situated in said districts not to exceed Ten Cents (10¢) on the One Hundred Dollars (\$100.00)

valuation for the support thereof; provided that no tax shall be levied in support of said districts until approved by a vote of the qualified electors residing therein. Such a district may provide emergency medical services, emergency ambulance services, rural fire prevention and control services, or other emergency services authorized by the Legislature.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 3, 1987. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment to allow for the creation and establishment, by law, of special districts to provide emergency services."

Adopted by the Senate on May 7, 1987, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 23, 1987, by the following vote: Yeas 30, Nays 0. Adopted by the House, with amendment, on May 21, 1987, by the following vote: Yeas 125, Nays 18, one present not voting.

Filed with the Secretary of State, May 26, 1987.

S.J.R. No. 34

SENATE JOINT RESOLUTION

proposing a constitutional amendment giving the state a limited right to appeal in criminal cases.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. Article V, Section 26, of the Texas Constitution is amended to read as follows:

Sec. 26. The State *is entitled to* ~~[shall have no right of]~~ appeal in criminal cases, *as authorized by general law.*

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 3, 1987. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment giving the state a limited right to appeal in criminal cases."

Adopted by the Senate on May 19, 1987, by the following vote: Yeas 26, Nays 4.

Adopted by the House on May 25, 1987, by the following vote: Yeas 119, Nays 23.

Filed with the Secretary of State, May 28, 1987.

S.J.R. No. 35

SENATE JOINT RESOLUTION

proposing a constitutional amendment to permit spouses to hold community property with right of survivorship.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. Article XVI, Section 15, of the Texas Constitution is amended to read as follows:

Sec. 15. All property, both real and personal, of a spouse owned or claimed before marriage, and that acquired afterward by gift, devise or descent, shall be the separate property of that spouse; and laws shall be passed more clearly defining the rights of the spouses, in relation to separate and community property; provided that persons about to marry and spouses, without the intention to defraud pre-existing creditors, may by written instrument from time to time partition between themselves all or part of their property, then existing or to be acquired, or exchange between themselves the community interest of one spouse or future spouse in any property for the community interest of the other spouse or future spouse in other community property then existing or to be acquired, whereupon the portion or interest set aside to each spouse shall be and constitute a part of the separate property and estate of such spouse or future spouse; ~~[and the]~~ spouses *also* may from time to time, by written instrument, agree between